

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19 CV 250 MR WCM**

**MARCUS HYATT AND ASHLEY
BARRETT**

PLAINTIFFS,

V.

**QUENTIN MILLER, IN HIS OFFICAL
CAPACITY AS BUNCOMBE COUNTY
SHERIFF; WESTERN SURETY
COMPANY; J.D. LAMBERT,
INDIVIDUALLY AND OFFICIALLY;
JEFF MAY, INDIVIDUALLY AND
OFFICIALLY; AND KATHERINE
LEWIS, INDIVIDUALLY AND
OFFICIALLY,**

DEFENDANTS.

ORDER

Before the Court is Plaintiffs' Motion to Amend the Pretrial Order and Case Management Plan (the "Motion," Doc. 48).

In their Motion, Plaintiffs request that their deadline to designate experts be extended to May 1, 2020. Plaintiffs explain that counsel inadvertently calendared the deadline proposed by the parties for Plaintiffs' expert designation rather than the deadline set out in the Pretrial Order and Case Management Plan (the "Pretrial Order"). The error was discovered on April 7, 2020, two days before the Motion was filed.

Defendants do not take a specific position with regard to Plaintiffs' request but ask that if Plaintiffs' expert deadline is extended, that Defendants' expert deadline also be extended by sixty (60) days. Doc. 49, p. 1.

The Pretrial Order sets out the following deadlines:

Expert Designations:	
Plaintiffs	March 4, 2020
Defendants	April 6, 2020
Discovery	September 9, 2020
Mediation	September 23, 2020
Motions Deadline	October 9, 2020
Trial	March 8, 2021 term

Doc. 43.

It is self-evident that litigants are expected to review closely any Orders of the Court, including any Orders setting deadlines. Here, however, considering the almost immediate filing of the Motion following counsel's realization of the scheduling error, Defendants' response to the Motion, and the fact that amendment of the expert deadlines can be accomplished in these circumstances without the modification of any other deadlines, the Motion will be allowed. Further, the undersigned agrees that a corresponding change of Defendants' expert deadline is in order, keeping however the same amount of time (one month) between the parties' designations as originally provided in the Pretrial Order.

IT IS THEREFORE ORDERED THAT:

1. Plaintiffs' Motion to Amend the Pretrial Order and Case Management Plan (Doc. 48) is **GRANTED**, and the deadline for Plaintiffs to designate their experts is **EXTENDED** through and including May 1, 2020.
2. The deadline for Defendants to designate their experts is **EXTENDED** through and including June 1, 2020.
3. All other deadlines set forth in the current Pretrial Order and Case Management Plan (Doc. 43) remain in effect.

Signed: April 14, 2020

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

